

61 HAMPTON DOWNS ROAD, WAIKATO: ARCHAEOLOGICAL ASSESSMENT

Prepared for National Steel Ltd

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Contents

Introduction	1
Project Background	1
Methodology	4
Historical Background	5
Māori Settlement	5
The New Zealand Wars	5
European Settlement	6
Allotment 434	6
Allotment 504	8
Archaeological Background	10
Previous Archaeological work	10
Recorded Archaeological Sites	10
Historical Survey	13
Information from Early Maps and Plans	13
Information from Early Aerials	14
Field Assessment	18
Field Survey Results	18
Discussion and Conclusions	33
Summary of Results	33
Māori Cultural Values	33
Survey Limitations	33
Archaeological Value and Significance	33
Effects of the Proposal	33
Proposed Fast Track Approval Act 2024	34
Resource Management Act 1991	35
Heritage New Zealand Pouhere Taonga Act 2014	35
Conclusions	36
Recommendations	37
Bibliography	38

INTRODUCTION

Project Background

National Steel Ltd are proposing a sustainable steel production facility at 61 Hampton Downs Road in northern Waikato, referred to in this report as the Project Area (Figure 1– Figure 4). The legal description of the property is Lot 1 DPS 45893, Lot 5 DP 310030, Lot 4 DP 310030, Lot 3 DP 310030 and Lot 2 DP 310030. The proposed site for the steel mill is 53 hectares in area. The property is bounded to the north by Hampton Downs Road/ Harness Road and the Hampton Downs Motorsport Park, to the west and east by rural/residential properties and to the south by the Spring Hills Correctional Facility. A preliminary proposal seeks to develop a steel ‘mini-mill’ using recycled scrap metal, not iron ore or iron sands, as the basic input.

An archaeological survey and assessment was requested by National Steel Ltd in order to establish whether the proposed development is likely to impact on archaeological values. This report has been prepared as part of the required assessment of effects accompanying a resource consent application under the proposed Fast Track Approvals Act (2024) (FTAA). All recommendations are made in accordance with statutory requirements.

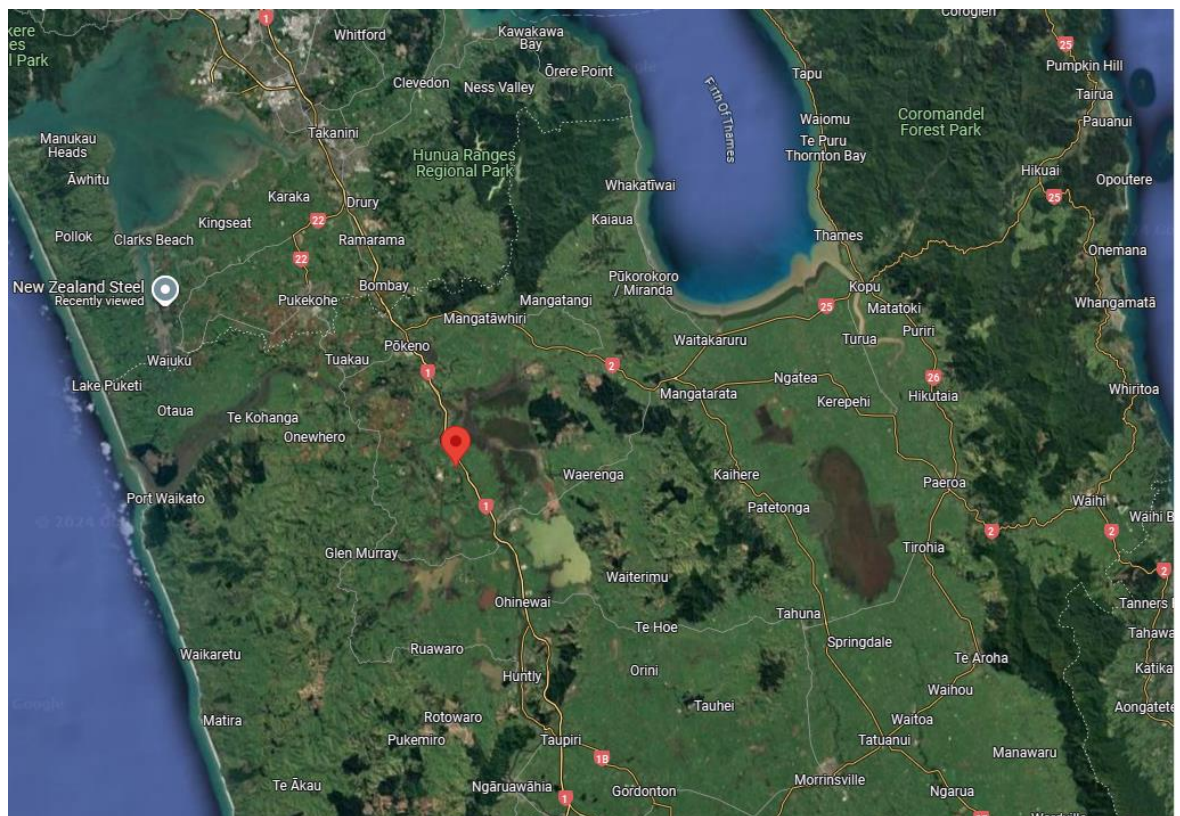


Figure 1. General location map with the Project Area indicated (source: Google maps 2024)



Figure 2. Location of Project Area in Hampton Downs (source: Google maps 2024)

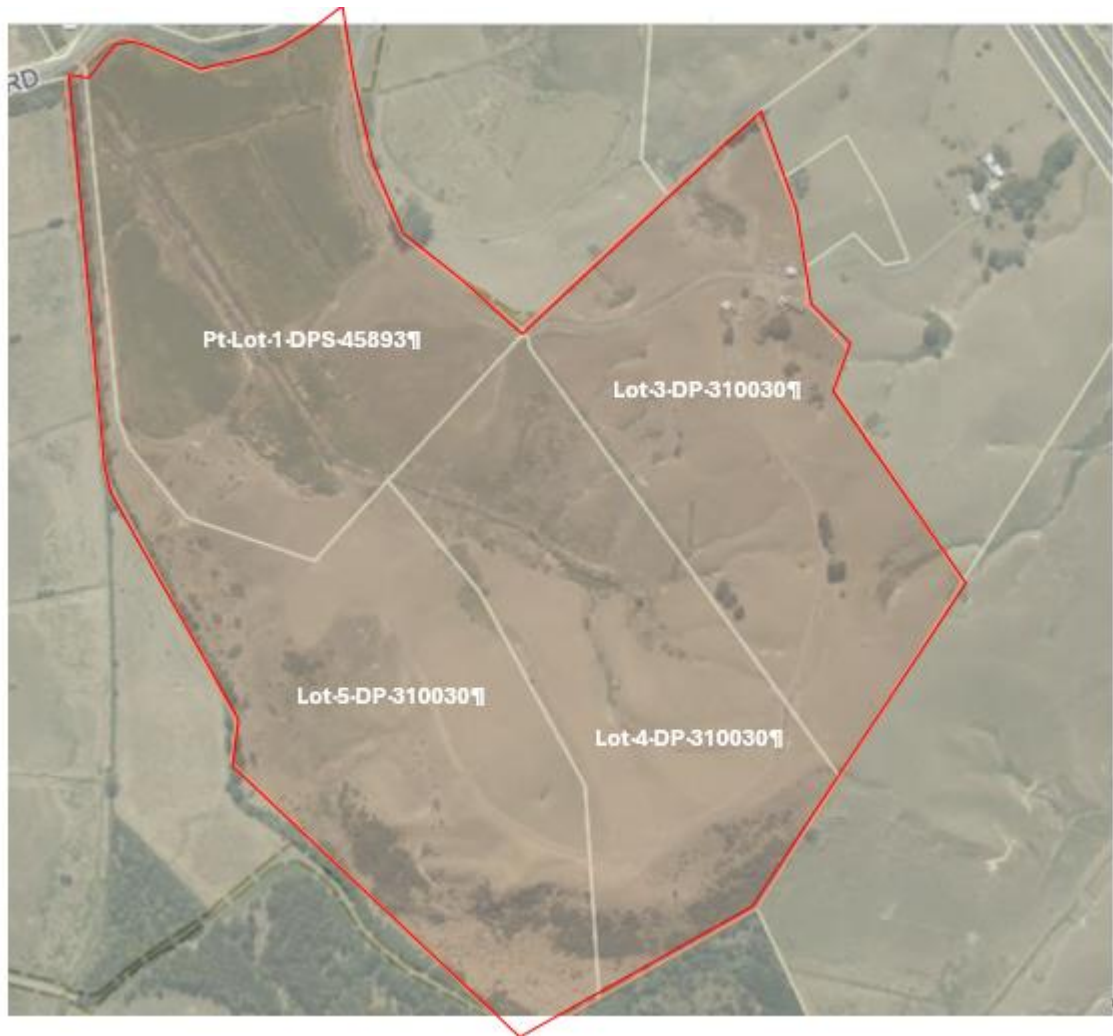


Figure 3. Location of Project Area in Hampton Downs (source: Google maps 2024)

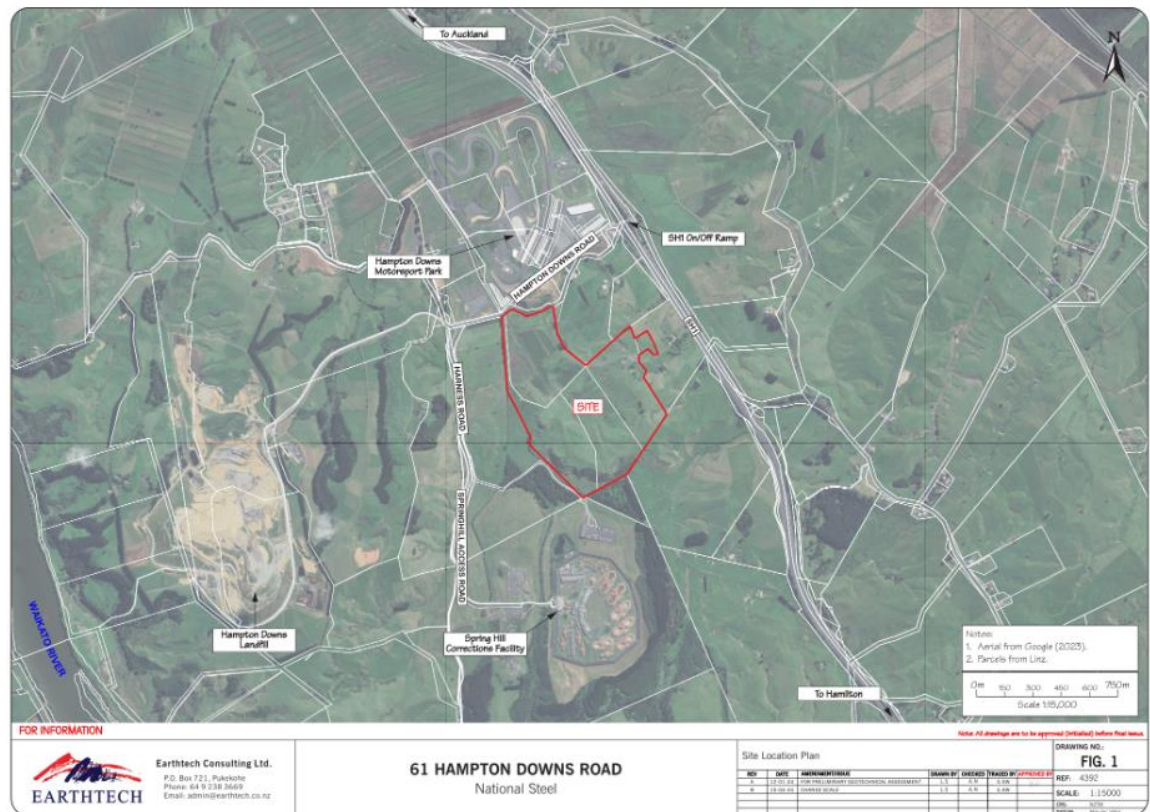


Figure 4. Area of proposed steel mill bounded in red (source: Earthtech Consulting 2024)

Methodology

The New Zealand Archaeological Association (NZAA) site record database (ArchSite), District Plan schedules and the Heritage New Zealand Pouhere Taonga (Heritage NZ) New Zealand Heritage List/Rārangi Kōrero were searched for information on archaeological sites recorded in or in the immediate vicinity of the Project Area. Literature and archaeological reports relevant to the area were consulted (see Bibliography). Early survey plans and aerial photographs were checked for information relating to past use of the Project Area.

A visual inspection of the property was undertaken on 8 November 2024 by Kirstin Roth and Hannah Cohen-Smith. The ground surface was examined for evidence of former occupation or land use (in the form of shell midden, depressions, terracing or other unusual formations within the landscape relating to Māori settlement, or indications of 19th century European settlement or industrial remains). Exposed and disturbed soils were examined where encountered for evidence of earlier modification. Subsurface testing with a probe was conducted on a regular basis in conjunction with test pitting (or further exposing existing erosion profiles) in order to understand the local stratigraphy. Test pits were placed in areas thought to hold the highest potential for archaeological remains. Test pits were photographed, and GPS readings taken. Photographs were taken to record the topography and features of interest.

HISTORICAL BACKGROUND

Māori Settlement¹

In oral tradition the Tainui canoe, captained by chief Hoturoa made its final landfall at Kawhia some 800 years ago. The canoe had travelled around various parts of the central north island, including the Bay of Plenty, the Coromandel, the Manukau Heads and the Hauraki Gulf with some people leaving the voyage and settling in these areas (TeAra 1).

Hoturoa is said to have made his base at Kawhia and over the years the Tainui people expanded inland from here. This included movement into the Waikato and caused the displacement, either through warfare or assimilation, of the people who occupied the Waikato region prior to the 16th century (Parker 1986:33 4). Māori settlements spread throughout the region, with many concentrated along the coast to exploit the rich resources available there. Further inland, settlements were made along navigable waterways, such as the Waikato and Waipa Rivers and their tributaries, with numerous pā sites identified as well as gardening and food storage sites. Intertribal conflicts occurred periodically as a result of alliances, disputes and competition for resources. In the late 18th century there was a major encounter near Ōhaupō, referred to as the battle of Hingakaka, which saw the defeat of Ngāti Toa by the Waikato tribes (Sole 2005: 137).

During the early years of the 19th century contact with European traders and missionaries increased, one result being the introduction of muskets into Māori intertribal conflicts. In the early years the northern tribes were the first to arm themselves in this way and gained some advantage in battles with tribes who had not obtained such weaponry. However, by the 1830s most tribes were more or less equally equipped and were unable to sustain the long-term and large scale warfare often referred to as ‘The Musket Wars’ that had occurred over the previous two decades. In the years that followed, European influence increased and conflicts between Māori and the colonial government over the European demand for land became an ongoing issue, resulting in open conflict by the early 1840s (Cowan 1955).

Tensions between Māori and the government worsened over time and in 1858 resulted in the founding of the King Movement (Kingitanga) in the Waikato. This movement aimed to unite Māori under a single leader to strengthen their ability to oppose the loss of their land from the growing demands from the ever-increasing number of European settlers arriving in New Zealand (Te Ara 3; Belich 1986).

The Waikato River played an important role in Māori settlement, both as a local source of food and as a navigable waterway that facilitated travel and communication.

The New Zealand Wars

The Waikato River also played a significant role in European settlement of the area and the New Zealand Wars of the 1860s (Figure 5) (Belich 1986; Binney 1990). From the 1850s the Waikato became a major supplier of food to Auckland. Increased pressure from the

¹ While based on reliable documentary sources, this information should not be viewed as complete or without other context. There are a number of iwi historically associated with the Waikato region and many other histories known to tangata whenua. The information provided here is partly derived from Cameron and Phear 2016.

settlers for Māori to sell their lands raised tensions between Māori and Europeans in the area. Once war began in the Waikato, General Cameron moved to secure the road south from Auckland with a series of redoubts (Hamilton 1993).

The New Zealand Wars in the Waikato lasted approximately two years, and that period saw extensive use of the river, significant troop movements, and several engagements (Binney 1990). A series of defensive lines was constructed by Māori at Meremere, Rangiriri, and finally Paterangi against the combined British and settler forces (Belich 1996).

Following the conclusion of the Land Wars a large-scale act of land confiscation occurred with approximately 1.2 million acres taken by the government (Binney 1990:127).

European Settlement

The confiscated land was subsequently acquired by settlers who established the area as a core of agricultural production.

The land located at 61 Hampton Downs Road consists of four parcels of land with current legal descriptions Pt Lot 1 DPS 45893, Lot 3 DP 310030, Lot 4 DP 310030 and Lot 5 DP 310030. Historically the property comprised parts of original Allotments 504 and 434, Parish of Whangamarino.

Allotment 434

The very early records for Allotment 434 contained within Deeds Index 3A/166 are no longer in existence. Title SA51/221 was issued on 8 September 1888 to Henry Burton of Auckland, gentleman for Allotments 433 and 434. Burton did not occupy the property himself, having an agent manage the property; however, no information on the type of farming carried out there was located. The agent for Colonel Burton had agreed to pay half the cost of constructing a road to his property at Whangamarino (*Waikato Times*, 22 December 1888:2).

Burton transferred the property to Robert Stopford of Auckland, medical practitioner on 26 July 1909. In 1910 Stopford transferred the property to George Ballard, who owned a great deal of land in the area. On 28 September 1915 Ballard transferred the land to The Waikato Land Company Limited who transferred it to Adolph Peter Zimmerman, Leonard Patrick Zimmerman, Thomas Michael Zimmerman and William John Zimmerman on 13 August 1921 (SA51/221, LINZ). Later land transactions can be reviewed below, after part Allotment 504 also came into the ownership of the Zimmerman Brothers in the same year.

December 2024 61 Hampton Downs Road – Archaeological Assessment

Allotment 504

There were no records regarding the 1955 acre Allotment 504 Parish of Whangamarino located prior to 1904, when an Occupation License With Right Of Purchase was issued to Thomas Edward Hallett of Mercer, hotelkeeper for a period of 25 years from 1 January 1904 for the annual rent of £29.6.6 (SA123/257, LINZ). Hallett was licensee of the Railway Hotel at Mercer owned by the Campbell and Ehrenfried Company Limited from 1896 (*Waikato Argus*, 29 August 1896:1). Hallett is likely to have utilised the property for grazing but may not have physically occupied the land himself. On 22 February 1907 the license was transferred to Reginald Harvey Stopford of Auckland. Stopford held the land only until 1 November 1910 when he transferred the license to Mary Ballard, wife of George Ballard of Auckland (SA123/257, LINZ).

Mary Ballard exercised her right to purchase the Freehold of the land with the Land Board consenting to the purchase on 26 June 1913 (SA123/257, LINZ). PR49/63 (Archives NZ) notes Mary Ballard paid £586.10.0 for the property with Title SA213/97 issued on 16 September 1913 (LINZ). In 1914 portions of the allotment were taken for the purposes of roadways, and the remainder of the allotment was transferred to The Waikato Land Co Limited on 28 September 1915.

A portion of Allotment 504 including the subject property was transferred by The Waikato Land Company to Adolph Peter Zimmerman, Leonard Patrick Zimmerman, Thomas Michael Zimmerman and William John Zimmerman on 13 August 1921 (SA213/97, LINZ). A new Title was issued, however the Title number could not be accurately identified due to poor reproduction quality but would have also included Allotments 433 and 434. It is likely at least two subsequent Titles existed for the property in one or more Zimmerman name.

From 1921, therefore, the Project Area (parts or the original Allotments 434 and 504) was owned by the Zimmerman brothers. The Zimmerman brothers used the farm for dairying, but intended to move into sheep, advertising for sale the stock and implements (*Waikato Times*, 11 August 1925:10):

‘CLEARING SALE AT WHANGAMARINO. FRIDAY, AUGUST 14, NOON. Favoured with instructions from MESSRS ZIMMERMAN BROS., who are giving up dairying and going into sheep, we will sell on the farm on the above-mentioned date, in conjunction with New Zealand Loan and Mercantile Agency Co., Ltd., as follows— 142 DAIRY COWS AND HEIFERS, Comprising—68 Cows, in milk and to calve— Jersey and Jersey-Shorthorn Cross, in calf to Pedigree Jersey Bulls, 26 3-year Springing Heifers, many by Pedigree Jersey Bulls, 48 2-year Springing Heifers, many by Pedigree Jersey Bulls, 1 Pedigree Jersey Bull, JERSEY BRAE’S SQUIRE, 3 Grade Jersey Bulls, 3 Farm Horses (5 to 9 years), 1 4-year Filly (unbroken), 1 3-year Filly (unbroken), 60 Store Pigs, 6 Breeding Sows, 1 Berkshire Boar, 1 2-yd Tip Dray; Tine and Chain Harrows; 6-cow New Zealandia Milking Plant and 3 h.p. Lister Engine; 90-gal. Alfa Laval Separator; Cream Cans, Etc. 1-Ton Spring Tip Dray * NOTE.—The farm is one mile from Whangamarino Railway Station. Conveyance will meet all trains. All the stock are in good condition. The vendors have been milking on the farm for the past 15 years, and have always culled heavily. Herd averaged last season 250lb butterfat. Factory returns available at sale. On account of Client 1 Cortland Waggon.’

Following the transition to sheep farming the Zimmerman property suffered greatly through a widespread fire affecting 1000 acres, and especially wattle trees, in 1928 (*Thames Star*, 19 January 1928:5). Title SA606/240 (LINZ), issued on 10 February 1930, named only Leonard Patrick Zimmerman of Whangamarino, farmer, as owner. At this time the subject property was located within Lot 3 DP 22618, containing 220a 1r 10p including the portion of land originally located within Allotment 434.

Lot 3 DP 22618 was transferred to Nicholas Martin Bradanovich of Pukekohe, surgeon, on 30 October 1937 (SA606/240, LINZ). Following his death the property was transferred to Ethel Margaret Bradanovich, Arnold Percy King, Thomas Douglas Gerrard and John Victor as executors on 20 September 1961. On 7 February 1962 the property was transferred to Roy Colin Millen of Ngatea, veterinary surgeon (SA606/240, LINZ).

A new Title SA25D/198 (LINZ) was issued to Millen on 14 February 1980. At that time his occupation was listed as farmer and place of residence as Te Kauwhata. On 1 August 1980 Millen transferred the property to Dermott Malley of Auckland, farmer. Malley transferred the property to George Vaughan of Auckland, farmer on 8 July 1983. On 6 December 1984 Vaughan transferred a half share to Marlene Joy Vaughan, married woman. The land was subdivided with the portion containing the subject property located within Lot 2 DP 40372 (SA25D/198, LINZ). This property containing 73.6243ha of land was issued Title SA35D/838 on 7 April 1986 (LINZ). In October 1987 the land was subdivided again, with the subject property issued Title SA39B/600 on 12 October 1987 containing 66.0917ha.

The land has subsequently been subdivided with Titles SA40B/272 and SA40B/273 issued, however these and any subsequent titles have not been reviewed.

ARCHAEOLOGICAL BACKGROUND

Previous Archaeological work

Over the last 20 or so years, there have been few developments in the wider area which has resulted in only a few archaeological assessments being undertaken. These include the Hampton Downs proposed motorsport park (Farley and Clough 2004) and the Longswamp Section of the Waikato Expressway (Sykes 2019).

The 2004 assessment of the motorsport park and adjacent subdivision at Hampton Downs, by Glen Farley and Rod Clough did not reveal the presence of any archaeological materials or features despite good surface visibility and subsurface testing.

Recorded Archaeological Sites

The New Zealand Archaeological Association (NZAA) site record database (ArchSite) was searched for information regarding sites located within or the vicinity of the property. However, there are no recorded archaeological sites in or in close proximity to it (see Figure 6).

The closest site is findspot S13/189, located roughly 500m southeast from the Project Area (Figure 7), on the eastern side of the Longswamp Section of the Waikato Expressway and south of Whangamarino Road on the southern side of the retention pond. The findspot of an adze was recorded here by Kirsty Sykes in 2019. The adze was located in 1970s imported road fill, the original provenance of which was unknown. The adze was a 2B type, likely produced from gabbro. Other sites are located further away to the southwest near the Waikato River, these include S13/56; S13/145; and S13/178.

S13/56, located roughly 3km northwest of the project area, located above the corner of Hampton Down Road and Clune Road. The site is recorded as the grave of two Māori children drowned nearby in the Waikato River in the 1890's. It is marked by a headstone (lying flat) and is surrounded by iron railings. The site was first recorded by Foster in 1983, and further updated in 2007. The grave site appears to be stable and the iron railings are still standing. Headstone is broken and lying face up within the enclosure.

S13/145 located roughly 2.5km southwest of the project area, located on a broad plateau-like ridge, well to the east of Waikato River. The site was first recorded by Owen Wilkes, in 2002 and updated in 2007. The site was described as four 3m depressions, presumed to be shell craters, believed to result from shells fired by British forces in 1863-64 invasion. However, there is no clear archaeological field evidence for or against this interpretation.

S13/178, located roughly 3km southwest of the project area, on the right bank of the Waikato River, below Karihoa Island. This site was recorded in July 2016 by M.G. Hutchinson as part of the Waikato District Plan Review Archaeological Heritage Project. The site is recorded as twenty borrow pits on a terrace flat on the east (right) bank of the Waikato River near Churchill. They appear in a line parallel to the river. A 50 m buffer around these borrow pits encloses an area of 5.0 ha. This extends for 450 m along the bank, and is up to 170 m wide.

However, the area of Hampton Downs is heavily under-surveyed. Therefore the lack of recorded sites in the NZAA ArchSite database does not necessarily mean that there are no archaeological sites in proximity to the Project Area.



Figure 6. Distribution of recorded archaeological sites (marked in green) in the vicinity of the Project Area, which is outlined in red (source: NZAA ArchSite website)



Figure 7. Location of Archaeological site (Blue star) in the vicinity of the Project Area, which is outlined in red (source: NZAA ArchSite website)

HISTORICAL SURVEY

Early survey plans and aerial photographs were examined for information which might indicate the location of unrecorded archaeological sites, and information on past land use which may have affected the potential for site survival.

Information from Early Maps and Plans

A number of early Survey Ordinance plans and Deposited Plans were reviewed for information regarding structures or features of note. One of these plans has been presented above (Figure 5), in the Historical Background section, but the following plans were also examined:

DPS 40372 dated 1985 showing Lots 1 and 2 being a subdivision of Lot 3 DP 22618 (Figure 8).

DPS 45893 dated 1987 shows the subdivision of Lot 2 DPS 40372, into Pt Allotment 433, 434, 504, and 537 No structures are within the Project Area (Figure 9).

No structures or features of interest were identified on these plans.

Other Deposited Plans reviewed but providing no information included SO23632 (1925); DP 22618 (1929); and SO 22448 (1922).

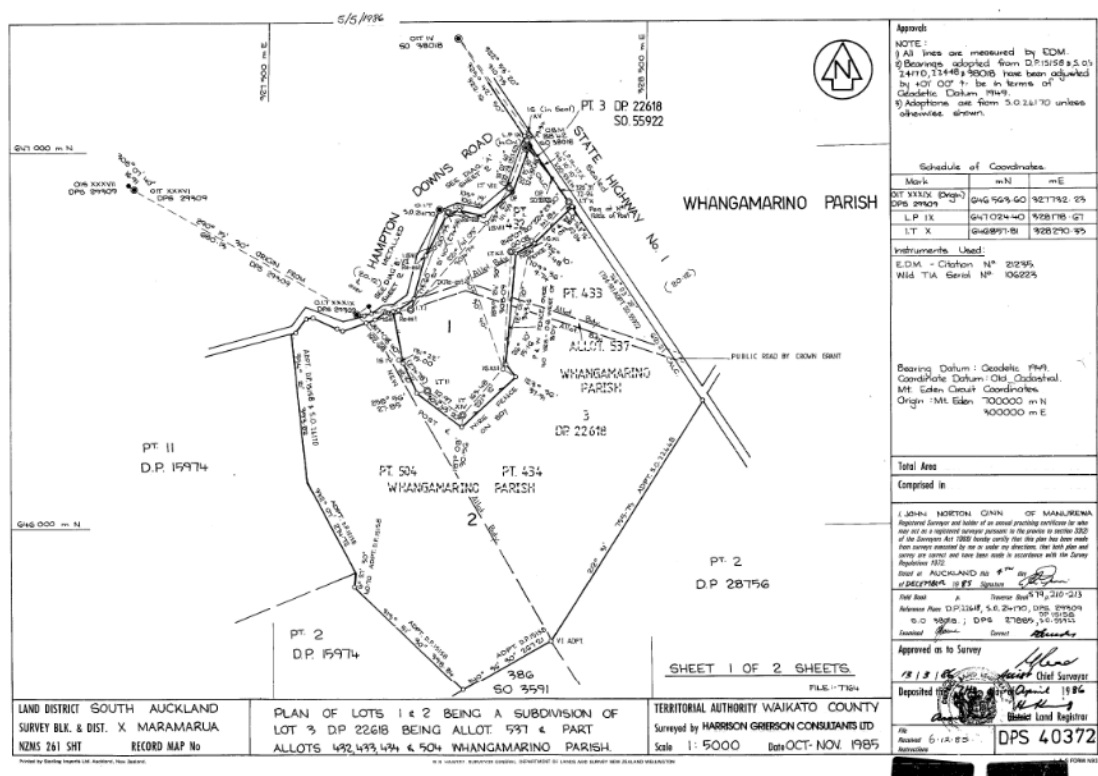


Figure 8. DPS 40372 plan dated 1985 showing Subdivision of Lot 3 DP 22618. (source: Quickmap)



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Information from Early Aerials

When comparing modern aerials (e.g. Figure 3 and Figure 4) with an aerial photograph from 1961 and 1963 (Figure 10-Figure 11), it is apparent that the property has not seen any significant change or modification for over 60 years. The only significant difference is the formation of a farm track leading southeast and then turning to east-west across the property. An additional horse track was noted in the 1997 aerial (Figure 12).



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Figure 10. Aerial photograph, dated 1961, showing the subject property Retrolens (Survey number 1327 Run C, Photo 4).



Figure 11. Aerial photograph, dated 1963, showing the subject property Retrolens (Survey number 1397 Run 3256, Photo 23).

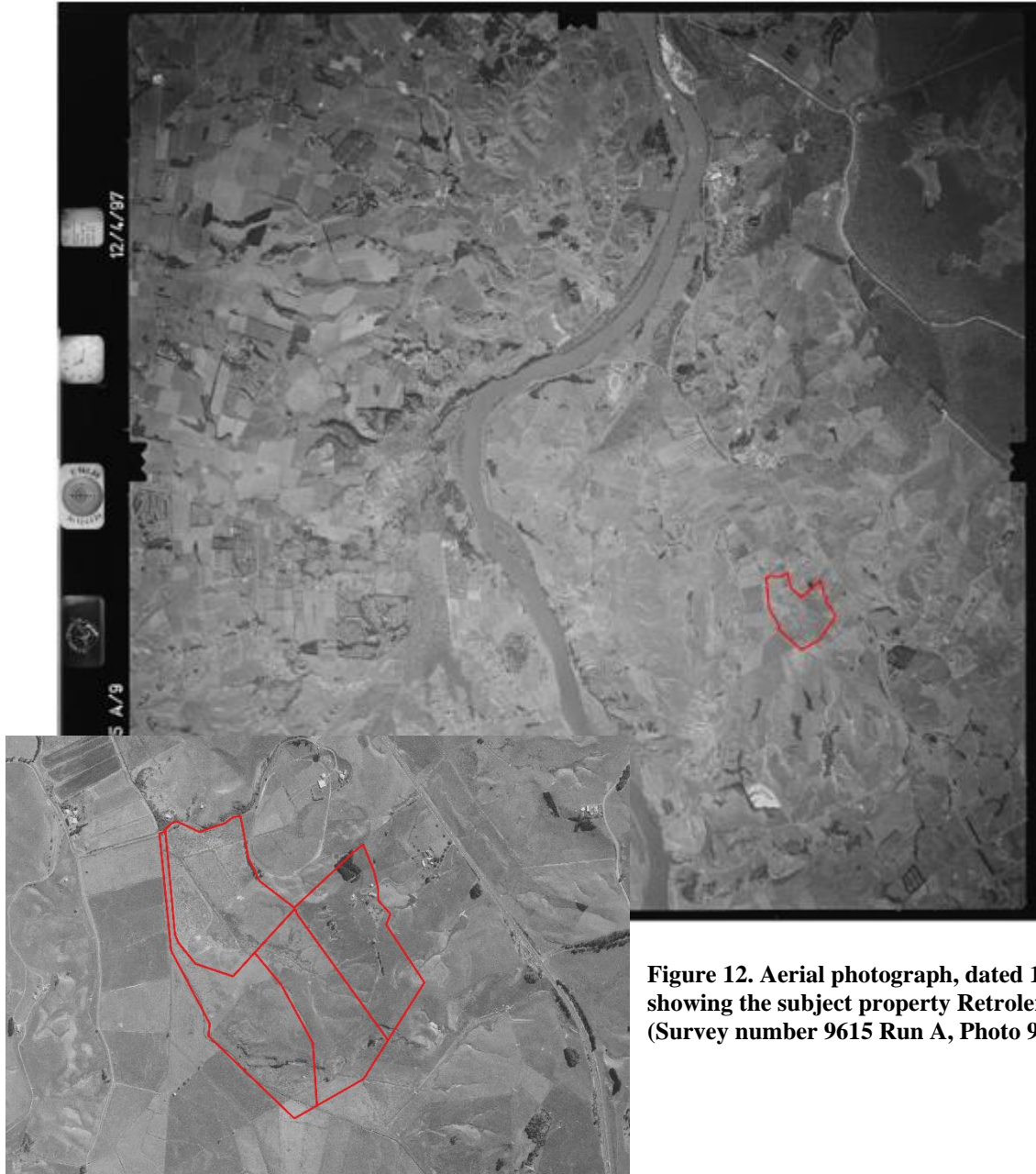


Figure 12. Aerial photograph, dated 1997, showing the subject property Retrolens (Survey number 9615 Run A, Photo 9)

FIELD ASSESSMENT

Field Survey Results

The field survey of the property 61 Hampton Downs Road was undertaken on 8 November 2024 by Kirstin Roth and Hannah Cohen-Smith in overcast conditions. An aerial plan showing the subject site and key features is provided in Figure 13. This identifies a horse track in the northwestern corner of the Project Area (Figure 14 and Figure 15). The property was accessed from Harness Road into the central section. The property was visually inspected with probing undertaken throughout the Project Area, and some test pitting.

The property is presently used for cattle (Figure 16), with cattle present throughout, paddocks in the northern and eastern areas, and a barn on the eastern boundary (Figure 17). A house on the northern boundary in the eastern part of the Project Area was not visited.

The property can be divided into four main areas (Figure 13): a northern paddock containing a relatively flat grass land with Hampton Downs Road and Harness Road on the northern boundary (Figure 18), and trees along the western boundary (Figure 19); a western area, accessed through the southern end of the northern area; a central area, accessed through the paddocks from the western side; and an eastern area that was accessed by the end of the driveway that runs along the eastern boundary of the Project Area (Figure 20).

Both the northern and central areas were heavily modified for cultivation, and relatively flat with areas of waterlogging and swampy grass lands (Figure 21 - Figure 24). In addition, the central area had been noted by current landowner Mike Peters (pers. comm. 8 November 2024) to have been modified by motorscrapers for the purpose of creating a runway. He also noted that the western boundary of the northern area had been used as a horse track in the 1960s; however, due to the presence of cattle, the track was not able to be inspected in any detail. In contrast, the southern part of the northern area featured densely compacted grass fields with visible gravel beneath, while the remainder of the property was covered in grass. A farming ditch runs along the eastern side of the northern area in a north-south and east-west direction (Figure 24 and Figure 25). It appears to have been constructed to manage overflow from the waterlogged fields and to address runoff.

The western area contained a hilly landscape with a dense level of vegetation along the western and southern boundaries (Figure 26 - Figure 28). This area appears to have undergone little modification relative to the other areas within the Project Area.

The eastern area was also hilly, sloping towards the west. At the top of the hill at the end of the gravel driveway were several structures relating to farming practices, such as milking sheds. A small stream runs northeast to southwest along the westernmost boundary of the eastern area (Figure 29).

Probing around the property indicated a soft clay beneath the topsoil, the depth of which could not be established through probing alone. The ground across the entirety of the property was soft and contained a significant amount of ground water.

No archaeological features were observed or detected through probing.

Test Pit Results

Test pits were approximately 20cm by 20cm and were generally placed in areas thought to have the most potential for archaeological remains, or excavated in order to understand the local stratigraphy with the locations of test pits provided in Figure 30 and detailed photographs shown in Figure 31 - Figure 40. A description of the test pit findings is provided in Table 1). Test pits 5 and 6 were eroded soil profiles. The cattle present throughout the Project Area restricted access to some paddocks, limiting the test pits and probing. The Project Area was probed where accessible, in order to test for potential subsurface remains.

No indications of archaeological deposits or features were found in the test pits or through probing.

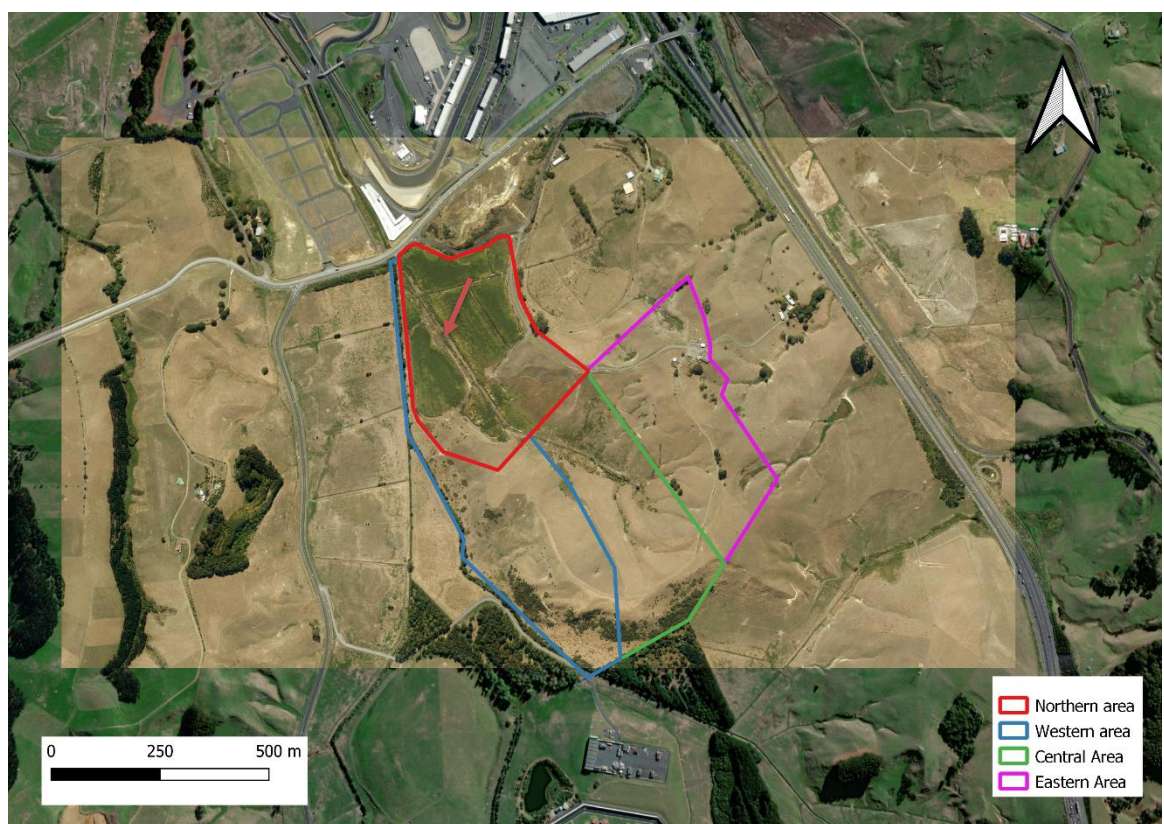


Figure 13. Plan showing Project Area divided into four main areas (red arrow indicates horse track)



Figure 14. View facing northwest, showing the small ridge line left from the horse track



Figure 15. View facing southeast, showing the small ridge line left from the horse track



Figure 16. Left: view facing northeast showing cattle within the Project Area. Right: view facing northwest showing cattle within the Project Area



Figure 17. View facing southeast, showing the property and barn at the end of the driveway on the eastern side of the Project Area



Figure 18. View facing northwest, showing the northern end of the Project Area



Figure 19. View facing south, showing the northern and western end of the Project Area with trees along the western boundary



Figure 20. view facing northeast showing driveway that runs along the eastern boundary of the Project Area



Figure 21. View facing northwest, showing the modified central area of the Project Area



Figure 22. View facing northwest, showing the swampy central area of the Project Area



Figure 23. View facing south, showing swampy grass in the northern area



Figure 24. View facing southwest showing farm overflow drains on the northern boundary of the Project Area



Figure 25. View facing northeast showing farm overflow drains on the northeastern boundary of the Project Area



Figure 26. View facing northwest, showing the central area of the Project Area



Figure 27. View facing southeast, showing the hilly terrain in the western area



Figure 28. View facing southwest, showing the high vegetation in the southwestern portion of the western area



Figure 29. View facing northeast, showing the stream between the central and eastern areas of the Project Area (indicated by red arrow)



Figure 30. Location of test pits within the Project Area

Table 1. Location of test pits and description of soil profiles

ID	Coordinates NZTM	Layer 1	Layer 2
1	1784020 5863009	20cm dark grey topsoil, with mixed particle size	19cm medium grey brown soil
2	1783893 5863219	18cm dark grey topsoil, with mixed particle size	19cm medium grey brown soil
3	1784016 5862729	18cm light grey brown sediment	Orange yellow clay
4	1784140 5862487	22cm light grey brown sediment	Yellow clay
5	1784153 5862441	20cm light grey brown sediment	Yellow clay
6	1784198 5862364	25cm light greyish-brown sediment	Yellow clay
7	1784244 5862442	25cm light grey sediment	Yellow clay with grey sediment inclusions
8	1784263 5862710	26cm light brown mixed particle size sediment	Light grey clay
9	1784224 5862840	15cm light grey brown sediment	Yellow clay
10	5862840 5863057	9cm medium brown sediment	Yellow orange clay



Figure 31. Left: stratigraphic profile of test pit 1. Right: location of test pit 1 on north side of Project Area, facing west



Figure 32. Left: stratigraphic profile of test pit 2. Right: location of test pit 2 on north side of Project Area, facing west

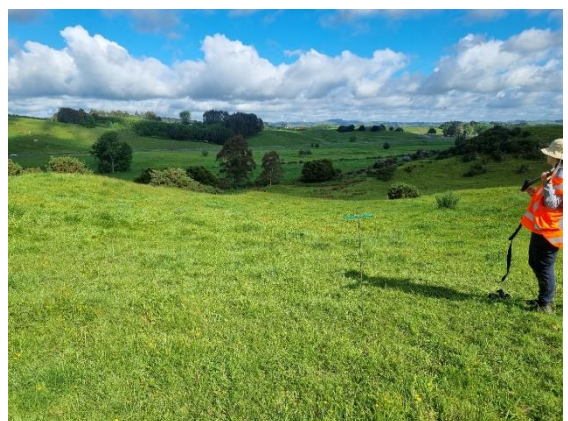


Figure 33. Left: stratigraphic profile of test pit 3. Right: location of test pit 3 on western area of Project Area, facing northwest



Figure 34. Stratigraphic profile of test pit 4



Figure 35. Stratigraphic profile of test pit/exposed soil profile 5



Figure 36. Stratigraphic profile of test pit/exposed soil profile 6



Figure 37. Left: stratigraphic profile of test pit 7. Right: location of test pit 7 on western area of Project Area, facing west



Figure 38. Left: stratigraphic profile of test pit 8. Right: location of test pit 8 on central area of Project Area, facing northeast



Figure 39. Left: stratigraphic profile of test pit 9. Right: location of test pit 9 on central area of Project Area, facing northeast



Figure 40. Left: stratigraphic profile of test pit 10. Right: location of test pit 10 on north side of Project Area, facing southwest

DISCUSSION AND CONCLUSIONS

Summary of Results

No archaeological sites have previously been recorded in the proposed steel mill development area and none were identified during the field survey. The likelihood of encountering unidentified subsurface archaeological deposits during the proposed development of the property is considered to be low.

Māori Cultural Values

This is an assessment of archaeological values and does not include an assessment of Māori cultural values. Such assessments should only be made by the tangata whenua. Māori cultural concerns may encompass a wider range of values than those associated with archaeological sites.

Survey Limitations

It should be noted that archaeological survey techniques (based on visual inspection and minor sub-surface testing) cannot necessarily identify all sub-surface archaeological features, or detect wāhi tapu and other sites of traditional significance to Māori, especially where these have no physical remains.

The cattle often posed a problem in terms of access. This was particularly the case on the western and eastern side of the property.

Archaeological Value and Significance

The archaeological value of sites relates mainly to their information potential, that is, the extent to which they can provide evidence relating to local, regional and national history using archaeological investigation techniques, and the research questions to which the site could contribute. The surviving extent, complexity and condition of sites are the main factors in their ability to provide information through archaeological investigation. For example, generally pā are more complex sites and have higher information potential than small midden (unless of early date). Archaeological value also includes contextual (heritage landscape) value. Archaeological sites may also have other historic heritage values including historical, architectural, technological, cultural, aesthetic, scientific, social, spiritual, traditional and amenity values.

The Project Area has no known archaeological value or significance.

Effects of the Proposal

The proposed steel mill development will have no effects on any known archaeological sites.

In any area where archaeological sites have been recorded in the general vicinity it is possible that unrecorded subsurface remains may be exposed during development. However, based on the current survey and previous archaeological work in the area, the proposed development on the property has only a low likelihood of revealing any unrecorded subsurface archaeological sites. There is even less potential for unrecorded

subsurface archaeological sites in the central area of the property, due to previous earthworks.

Archaeological features and remains can take the form of burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or 19th century glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and early European origin or human burials.

Proposed Fast Track Approval Act 2024

Under the FTAA in Section 24C (1), an authorised person for a Part A listed project or a referred project may lodge an application with the EPA (24C). A substantive application may seek one or more of the following matters (the approvals): (a) a resource consent that would otherwise be applied for under the Resource Management Act 1991 (including for an activity that is a prohibited activity under the Resource Management Act 1991 (subsection (4))); or a designation or an alteration to an existing designation for which a notice of requirement would be lodged under the Resource Management Act 1991 and with respect to archaeological authorities, an archaeological Authority applied for under the Act is the same as that described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 and which would otherwise be applied for under the HNZPTA (24C (3)(g)).

A substantive application that seeks an approval described in subsection (3)(g):

- (a) May be made only if the application also seeks an approval described in subsection (3)(a) or (b);
- (b) May include an application under clause 6 of Schedule 7 (application for approval of person to carry out activity).

An approval granted under the FTAA has the same force and effect for its duration, and according to its terms and conditions, as if it were granted, issued or entered into under the relevant specified Act Section 25C (1).

The purpose and principles of the RMA in relation to historic heritage are discussed below. Regional, district and local plans contain sections that help to identify, protect and manage archaeological and other historic heritage sites. The plans are prepared under the provisions of the RMA. The Waikato District Plan (Waikato Section) Operative in Part is relevant to the proposed activity. There are no scheduled historic heritage sites included on the Waikato District Plan (Waikato Section) Operative in Part in the Project Area.

This assessment has established that the proposed activity will have no effect on any known archaeological remains, and has little potential to affect unrecorded subsurface remains. If resource consent is granted, consent conditions relating to archaeological monitoring or protection would therefore not be required. A general condition relating to the accidental discovery of archaeological remains could be included, requiring that if any archaeological remains are exposed during development, work should cease in the immediate vicinity and the Council and Heritage NZ should be informed.

An archaeological Authority granted under the FTAA has the same force and effect as an Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014 and for

purposes of the HNZPTA, must be treated as if it were an authority under that Act (Schedule 7 Section 12A (a) and (b)). See below for the definition of an archaeological site under the HNZPTA, and the situations where Authorities are required to be in place.

Resource Management Act 1991

Section 6 of the RMA recognises as matters of national importance: ‘the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga’ (S6(e)); and ‘the protection of historic heritage from inappropriate subdivision, use, and development’ (S6(f)).

All persons exercising functions and powers under the RMA are required under Section 6 to recognise and provide for these matters of national importance when ‘managing the use, development and protection of natural and physical resources’. There is a duty to avoid, remedy, or mitigate any adverse effects on the environment arising from an activity (S17), including historic heritage.

Historic heritage is defined (S2) as ‘those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities: (i) archaeological; (ii) architectural; (iii) cultural; (iv) historic; (v) scientific; (vi) technological’. Historic heritage includes: ‘(i) historic sites, structures, places, and areas; (ii) archaeological sites; (iii) sites of significance to Māori, including wahi tapu; (iv) surroundings associated with the natural and physical resources’.

Heritage New Zealand Pouhere Taonga Act 2014

In addition to any requirements under the RMA, the HNZPTA protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by Heritage NZ (Section 42).

An archaeological site is defined by the HNZPTA Section 6 as follows:

‘**archaeological site** means, subject to section 42(3), –

(a) any place in New Zealand, including any building or structure (or part of a building or structure) that –

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) includes a site for which a declaration is made under section 43(1)’²

Authorities to modify archaeological sites can be applied for either in respect to archaeological sites within a specified area of land (Section 44(a)), or to modify a specific archaeological site where the effects will be no more than minor (Section 44(b)), or for the purpose of conducting a scientific investigation (Section 44(c)). Applications that relate to

² Under Section 42(3) an Authority is not required to permit work on a pre-1900 building unless the building is to be demolished. Under Section 43(1) a place post-dating 1900 (including the site of a wreck that occurred after 1900) that could provide ‘significant evidence relating to the historical and cultural heritage of New Zealand’ can be declared by Heritage NZ to be an archaeological site.

sites of Māori interest require consultation with (and in the case of scientific investigations the consent of) the appropriate iwi or hapu and are subject to the recommendations of the Māori Heritage Council of Heritage NZ. In addition, an application may be made to carry out an exploratory investigation of any site or locality under Section 56, to confirm the presence, extent and nature of a site or suspected site.

An archaeological Authority would not be required for the proposed activity as no sites have been identified within the Project Area and the potential for unidentified sites to be present is low. However, should any sites be exposed during development the provisions of the HNZPTA must be complied with.

Conclusions

The proposed steel mill and any other future development within the property at 61 Hampton Downs Road will have no known effects on archaeological values, as no archaeological sites have been identified within its boundaries and the potential for any unidentified subsurface remains to be exposed during development is low. However, if previously unidentified archaeological remains are exposed by earthworks, they would have statutory protection under the HNZPTA and can only be modified under Authority issued under the Act, or under an authority issued under the proposed Fast Track Approvals Act that would replace and have the same effect as an Authority under the HNZPTA.

RECOMMENDATIONS

- There should be no constraints on the proposed development on archaeological grounds, since no archaeological sites are known to be present and it is considered unlikely that any will be exposed during development.
- If no Authority has been included in the FTAA consent, and subsurface archaeological evidence should be unearthed during construction (e.g. intact shell midden, hangi, storage pits relating to Māori occupation, or cobbled floors, brick or stone foundation, and rubbish pits relating to 19th century European occupation), or if human remains should be discovered, work should cease within 20m of the discovery and the Council, Heritage NZ, Mana Whenua (if the site relates to Māori settlement) and (in the case of human remains) the NZ Police are notified.
- If modification of an archaeological site does become necessary, an Authority must normally be applied for and granted under the HNZPTA prior to any further work being carried out that will affect the site. (Note that this is a legal requirement). The site cannot then be modified until an Authority has been obtained from Heritage NZ. (Note that this is a legal requirement).
- However, if appropriate provision is made under proposed Fast Track Approvals Act 2024 to apply for an authority under that Act for archaeological sites accidentally discovered (in consultation with Mana Whenua if they relate to Māori occupation and settlement), a separate Authority under the HNZPTA would no longer be required.
- Since archaeological survey cannot always detect sites of traditional significance to Māori, such as wāhi tapu, the tangata whenua should be consulted regarding the possible existence of such sites on the property.

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